

Amendments to the Drawings:

The drawing sheet or sheets attached in connection with the above-identified application containing Figures 1 and 6 are being presented as new formal drawing sheets to be substituted for the previously submitted drawing sheets. The drawing Figures 1 and 6 have been amended. Appended to this amendment is an annotated copy of the previous drawing sheet which has been marked to show changes presented in the replacement sheet of the drawing.

The specific changes which have been made to Figure 1 are that reference characters 141 and 142 have been added. The specific change which has been made to Figure 6 is that reference character 80 has been added.

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1-4 and 6-11 are currently being amended. Claims 13 and 14 are being added. This amendment adds and changes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

Amendments to the Drawings

In the office action, the drawings were objected to as failing to comply with 37 CFR 1.84(p)(5). In response, drawing Figures 1 and 6 have been amended. Reference numbers 141 and 142 were added to Figure 1. Reference number 80 was added to Figure 6. In addition, the specification has been amended to include reference numeral 140 shown in Figure 1. Applicant respectfully submits that no new matter has been added. Therefore, Applicant respectfully requests that the objection under 37 CFR 1.84(p)(5) be withdrawn.

Claim Rejections under 35 U.S.C. § 102

Claims 1-2 and 6-9 were rejected under 35 U.S.C. § 102(b) as being anticipated by Toizumi (U.S. Patent No. 6,011,938).

In response, without agreeing or acquiescing to the rejection, Applicant amends claims 1-3 and 6-10 to further define the invention. Applicant respectfully submits that the above amended claims are allowable for at least the following reasons.

Applicant respectfully traverses the rejection of claims 1-2 and 6-9 as amended. Applicant relies on M.P.E.P. § 2131, entitled "Anticipation – Application of 35 U.S.C. § 102(a), (b) and (e)" which states, "a claim is anticipated only if each and every element set forth in the claim is found, either expressly or inherently described, in a single prior art reference." Applicant respectfully submits that Toizumi does not teach each and every element of amended claims 1-2 and 6-9.

The claims of the present invention contain recitation of features that are not present in the device of Toizumi. Independent claims 1, 6 and 8 recite an image forming apparatus and a corresponding method configured to control the temperature of a fixing device having a plurality of heaters and temperature sensors. Specifically, claims 1 and 8 recite a fixing unit having a first heater and a second heater adjacent to the first heater and a first temperature sensor which detects the temperature of the first heater and a second temperature sensor which detects the temperature of the second heater. Further, claim 6 recites a method for detecting the temperature of a first and second heater, selecting a control table prepared in advance corresponding to the detected temperatures and the change in the temperatures, and controlling the first and second heaters on the basis of the selected control table.

In contrast, Toizumi does not teach or suggest an image forming apparatus reciting a fixing unit having a first heater and a second heater formed adjacent to the first heater, or a first temperature sensor which detects the temperature of the first heater and a second temperature sensor which detects the temperature of the second heater. Further, with regard to claim 6, Toizumi does not teach or suggest a method including detecting a temperature of a first heater, detecting a second temperature of a second heater, selecting a control table prepared in advance corresponding to the detected first and second temperatures and a change of the first and second temperature, and controlling the first and second heaters on the basis of the selected control table. Instead, Toizumi merely discloses using a look up table with static predetermined temperature values. (Col. 8, lines 57-65).

The dependent claims 2, 7 and 9 depend from one of independent claims 1, 6 and 8 and are patentable for at least the same reasons. In addition, dependent claims 2, 7 and 9 recite that the increase in temperature of the fixing unit is stopped when the change in temperature is greater than or equal to a predetermined value. In contrast, Toizumi discloses that the necessary value corresponding to the first or second set temperature is read out from the lookup table and compared at the comparison circuit. (Col. 8, lines 61-65). Toizumi does not teach or suggest adjusting the temperature when the change in temperature is greater than or equal to a predetermined value. Thus, claims 2, 7 and 9 are further patentable for at least this reason.

Accordingly, Applicant respectfully submits that claims 1-2 and 6-9 are not anticipated by Toizumi and are therefore allowable. Applicant respectfully requests that the rejections under 35 U.S.C. § 102(b) be withdrawn and claims 1-2 and 6-9 be allowed.

Claim Rejections under 35 U.S.C. § 103

Claims 3-4 and 10-11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Toizumi in view of Nishida et al. (U.S. Patent No. 6,301,454). Claims 5 and 12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Toizumi in view of Sawamura et al. (U.S. Patent No. 6,061,546).

In response, without agreeing or acquiescing to the rejection, Applicant amends claims 1-4 and 6-11 to further define the invention. Claims 3-5 and 10-12 are dependent upon one of independent claims 1, 6 or 8 as amended. As stated above, Toizumi does not disclose or suggest all of the features of independent claims 1, 6 and 8. Further, Nishida et al. and Sawamura et al. fail to cure the deficiencies of Toizumi.

For example, Nishida et al. does not teach or suggest a first temperature sensor, a second temperature sensor and a control unit, which selects one of a plurality of control tables prepared in advance and controls the first and second heaters on the basis of the selected control table. Similarly, Sawamura does not teach or suggest a first heater and a second heater, and a first temperature sensor and a second temperature sensor, and a control unit, which selects one of a plurality of control tables prepared in advance and controls the first and second heaters on the basis of the selected control table. Thus, Applicant submits that claims 3-4 and 10-11 are allowable and respectfully requests that the rejection be withdrawn.

Conclusion

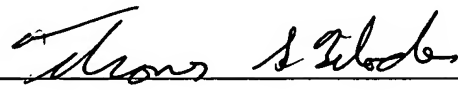
Claims 1-14 are now pending in this application. Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested. The Examiner is invited to contact the undersigned by

telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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